

09/601655

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3-1303

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Osamu SAKANAKA et al. : Attn: **BOX PCT**

Serial No. NEW : Docket No. **2000\_1081A**

Filed August 4, 2000 :

NOVEL ANTIFUNGAL COMPOUND AND

PROCESS FOR PRODUCING THE SAME

[Corresponding to PCT/JP99/00541

Filed February 8, 1999]

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**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of (X) the references listed on the attached Form PTO-1449 and/or () the additional information identified below in paragraph 4. A legible copy of each reference listed on the Form PTO-1449 is enclosed.

1. This Information Disclosure Statement is submitted:

- a.  within 3 months of the filing date of the above-identified application, or  
 within 3 months of entry into National stage prosecution of an International application, or  before the mailing date of the first Office Action on the merits, and thus:

no certification and/or fee is required.

- b.  after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus:  
 the certification of paragraph 2 below is provided,  
or  
 a fee of \$240.00 is enclosed.

- c.
  - after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus:
    - the certification of paragraph 2 below is provided,  
and
    - the Petition of paragraph 3 below is provided and \$130.00 fee therefor is enclosed.
- 2. It is hereby certified
  - that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
  - that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.
- 3.  Petition under 37 CFR 1.97 for consideration of this Information Disclosure Statement is hereby made.
- 4.  Consideration of the following additional information (including any co-pending or abandoned U.S. application, prior uses and/or sales, etc.) is requested:
- 5.  For each non-English language reference listed on the attached Form PTO-1449:
  - reference is made to an English language translation or abstract submitted herewith, and/or
  - reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or
  - reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or

- (X) reference is made to the concise explanation contained in the specification of the present application at page(s) 2-3, and/or
- ( ) reference is made to the concise explanation set forth below:
6. ( ) Applicant also offers the following comments for the Examiner's consideration:
7. ( ) Also enclosed is a copy of the European Search Report citing these references.

Respectfully submitted,

Osamu SAKANAKA et al.

By

  
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August 4, 2000

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEE FOR THIS PAPER TO DEPOSIT  
**ACCOUNT NO. 23-0975.**

Sheet 1 of 1

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)  
(Use several sheets if necessary)

Date Submitted to PTO: August 4, 2000

ATTY DOCKET NO.  
2000\_1081ASERIAL NO.  
NEW

09/601655

APPLICANT  
Osamu SAKANAKA et al.FILING DATE  
August 4, 2000

GROUP

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AJ	7-233165	9/95	Japan			Abstract
	AK	44-235	1/69	Japan			X
	AL	7-196489	8/95	Japan			Abstract
	AM						
	AN						

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AO	Shimano et al., "Total Synthesis of the Antifungal Dilactones UK-2A and UK-3A: The Determination of their relative and Absolute Configurations, Analog Synthesis and Antifungal Activities.", Tetrahedron 54 (1998) 12745-12774
	AP	
	AQ	

EXAMINER

DATE CONSIDERED